



# CITY OF WINSTON-SALEM REPORT ON COMPLIANCE WITH MOWING CONTRACTS

For the Month Ended October 31, 2020

Submitted by:

Office of Performance and Accountability  
Internal Audit Division  
April 2021

## **Background of the Mowing Contracts Audit**

In Fiscal Year 2019, Internal Audit performed a Mowing Contracts Audit concentrating on operations and transactions occurring between March 2018 and October 2018. Emphasis was placed on the contractors' delivery, amounts invoiced, compliance with agreement terms, and the effectiveness of City administration. Per the Internal Audit Division's Follow-up Program Policy, a follow-up audit is performed for any Audit with findings considered to be significant. The following findings and recommendations were included in the Mowing Contracts Audit in Fiscal Year 2019:

### *Finding 1 – Insufficient documentation of Vegetation Management Contract Services Checklists.*

Per the contract agreement, the contractor is required to follow the mowing specifications outlined in the bidding documents. Vegetation Management has created a Contract Mowing Services Checklist to document the monitoring of contractors; however, only two checklists were available for the contracts selected during the audit period. These two checklists were not adequately completed. One checklist was missing the "Route" information, while the other checklist included only one attribute marked with notes.

Recommendation: For Vegetation Management to utilize the checklist when monitoring all routes and to complete all sections.

### *Finding 2 – Vegetation Management Mowing Contractor Schedules were not submitted.*

Per the contract, the mowing contractor shall develop and provide to the City a schedule outlining the times when the various routes within the contract shall be mowed. In the event weather conditions prevent the mowing contractor from performing scheduled areas, the City shall be given a twenty-four-hour notice of the date when areas previously missed will be mowed. This information shall be provided to the Vegetation Management Supervisor. The contractors selected did not submit a mowing schedule for 2018.

Recommendation: For the mowing contractors to develop and submit a mowing schedule to the Vegetation Management Division. Internal Audit also recommends Vegetation Management maintains and utilizes the submitted schedules to develop a monitoring calendar.

### *Finding 3 – Code Enforcement Re-Inspection Reports were not completed within five days of the expiration of notice.*

Per the Environmental Control Procedures, the Inspector shall conduct a re-inspection at the expiration of notice to determine if the property owner has corrected the violation. Internal Audit noted two instances where a re-inspection was conducted six to eleven days after the expiration of notice.

Recommendation: For Inspectors to conduct a re-inspection at the expiration of the notice of violation. If the Inspector cannot complete the re-inspection within the timeframe, it is recommended for the Inspector to maintain adequate documentation detailing their reason for not meeting the timeframe.

### *Finding 4 – Code Enforcement Inspection Reports did not include a Notice of Violation or an Annual Chronic Violation Letter.*

Per the City Ordinance Chapter 6-1 Enforcement of Chapter: "Penalties, property owners are to be notified of the nuisance violation, requiring the violation to be abated within five days of the date of the notice." A total of three re-inspection reports did not include a notice of violation or annual chronic violation letter.

Recommendation: For the Inspectors to attach the notice of violation to maintain adequate documentation of the case violations and ensure all standards have been met.

The following observations and recommendations were also included in the Mowing Contracts Audit in Fiscal Year 2019:

*Observation 1 – Code Enforcement Re-Inspection Reports did not include paint cans in the “before” pictures.*

Per environmental control practices, inspectors shall use eight-inch paint cans in the “before” pictures of the scope of work. The paint cans were implemented to counter any appeals that might occur. Internal Audit identified thirteen re-inspection reports that did not include paint cans in the “before” pictures.

Recommendation: For inspectors to consistently use the paint cans in the “before” pictures to substantially document the violation.

*Observation 2 – Code Enforcement Case violations included City-owned property.*

Internal Audit noted that sixteen cases, twenty-five percent of the testing population for case violations, were City-owned properties. Due to the violations being City-owned, the re-inspection reports did not require a notice of violation; however, Internal Audit also noted “after” pictures were not included within the re-inspection reports for city-owned properties.

Recommendation: For the inspectors to include “after” pictures within the re-inspection report to ensure the violation has been corrected.

*Observation 3 – Code Enforcement Re-Inspection Reports did not include adequate “after” pictures of the corrected code violations.*

Per the mowing procedures document, the Contractor and Inspector shall take “after” pictures from the same angle as the inspector’s “before” pictures. Internal Audit noted six re-inspection reports only included one “after” picture of the violation correction.

Recommendation: For the Contractor and Inspector to take “after” pictures at the same angle as before pictures to ensure the code violation has been corrected.

### **Overview of Mowing Contracts**

The City of Winston-Salem identifies a specific scope of work for mowing various locations around Winston-Salem annually. The Vegetation Management Division and the Code Enforcement Division administer the majority of the City’s mowing services.

Vegetation Management is a division of the Property and Facilities Management Department. It is responsible for managing vegetation growing in rights-of-way, parks, athletic fields, landfills, and other City-owned landscaped areas. Other divisions of Property and Facilities Management include Central Warehouse, Property Maintenance and Cemeteries. Vegetation Management has four sections: Grounds Maintenance, Landscape Maintenance, Urban Forestry, and Administration. The only section included in the audit scope was Grounds Maintenance. The Grounds Maintenance Section is responsible for all mowing on rights-of-way and parks. This section mows over one-thousand acres of parks and rights-of-way biweekly, using twenty-seven employees and eight mowing contractors.

Code Enforcement is a division of the Community Development Department that promotes the health, safety, and welfare of citizens through education and enforcement of the City’s housing, abandoned vehicle, environmental control, and certain zoning ordinances. The Code Enforcement Division utilizes twenty-seven mowing contracts to assist with the correction of environmental control ordinance violations and other scheduled mowing. The mowing contracts are administered within the Environmental Code Enforcement Program.

## Overview of Mowing Contract Operations

Mowing contractors are selected through a bidding process. Term extensions are commonly granted to existing contractors. At the beginning of the mowing season, the Vegetation Management Supervisor contacts the contractors to provide a quick review of the agreement and inform them of the start date. The contractors then create their own schedule at which they are required to mow their route bi-weekly. The Vegetation Management Supervisor performs bi-weekly checks of a selected number of routes. There are a total of sixteen cycles during the mowing season, seven prior to June 30<sup>th</sup> and nine after July 1<sup>st</sup>.

The Code Enforcement Division typically meets with all mowing contractors in February. The contractors sign the City contracts and provide required documents such as insurance certifications. During the meeting, the Code Enforcement staff educates contractors on the City Ordinance and what is required to bring violating properties into compliance. The contractors also sign a document detailing these mowing procedures.

## Scope of Audit Procedures Performed

The contract audit concentrated on operations and transactions occurring between October 1, 2020 and October 31, 2020. Emphasis was placed on assessing corrective action taken toward issues identified in the fiscal year 2019 Mowing Contracts Audit.

Objectives included and were limited to answering the following questions:

- Has Vegetation Management began utilizing checklists in monitoring all routes?
- Have the contractors' mowing schedules been submitted to Vegetation Management?
- Have the Re-Inspection Reports been completed within five days of the expiration or has supporting documentation been maintained if they were completed outside of the five-day timeframe?
- Are the inspectors maintaining proper documentation with Re-Inspection Reports?
- Are the inspectors consistently using paint cans in "before" pictures?
- Has Code Enforcement began including "after" pictures within Re-Inspection Reports to ensure violations have been corrected?
- Has Code Enforcement began including "after" pictures at the same angle as "before" pictures within the Re-Inspection Reports to ensure violations have been corrected?

The COVID-19 pandemic was taken into consideration when conducting fieldwork. Per the Community Development Department, violators were given an extension to comply with the requirements, therefore, inspectors were given more time to complete the re-inspection report.

## Corrective Actions Implemented

The following corrective actions from the Fiscal 2019 Mowing Contracts Audit have been implemented:

Vegetation Management: The prior audit finding of "*Insufficient documentation of Vegetation Management Contract Services Checklists*," was corrected and removed.

Code Enforcement: The prior audit finding of "*Re-inspection reports were not completed within five days of the expiration of notice*," was corrected and removed.

Code Enforcement: The prior audit finding of "*Re-Inspection Reports did not include a Notice of Violation or Annual Chronic Violation Letter*," was corrected and removed.

## **. Vegetation Management Follow-up Findings and Recommendations**

1. *Submission evidence of two mowing contract schedules could not be located; in the prior audit no schedules were submitted by the contractors or maintained by Vegetation Management.*

Per the contract, the mowing contractor shall develop and provide to the City a schedule outlining the times when the various routes within the contract shall be mowed. In the event weather conditions prevent the mowing contractor from performing scheduled areas, the City shall be given a twenty-four-hour notice of the date when areas previously missed will be mowed. This information shall be provided to the Vegetation Management Supervisor. Vegetation Management could not locate two submitted schedules.

For completeness and compliance purposes, it is recommended for Vegetation Management to maintain supporting documentation of the submitted schedules.

### **Vegetation Management's Response:**

1. Ensure all contractor mowing route schedules are provided in writing – preferably through email.
2. For 2021, all the schedules have been provided, in writing.

## **Code Enforcement Follow-up Observations and Recommendations**

1. *Fifteen re-inspection reports (50%) did not include paint cans in the “before” pictures; the prior audit noted thirteen re-inspection reports (20%) not containing paint cans in the “before” pictures.*

Per environmental control practices, inspectors shall use eight-inch paint cans in the “before” pictures of the scope of work. The paint cans were implemented to counter any appeals that might occur.

It is recommended for inspectors to consistently use the paint cans in the “before” pictures to substantially document the violation.

2. *Four city-owned property violations did not include “after” pictures and three violations did not include any pictures.*

Due to the violations being city-owned, the re-inspection reports did not require a notice of violation. In the prior audit the inspectors did not include any “after” pictures; however, the department is now including after pictures for city-owned properties. Internal Audit noted “after” pictures were not included within four of the five re-inspection reports for city-owned properties. Furthermore, there were no pictures included for three of the five re-inspection reports for city-owned properties.

It is recommended for the inspectors to include and maintain “after” pictures within the re-inspection report to ensure the violation has been corrected.

3. *Ten re-inspection reports (33%) did not include adequate “after” pictures of the corrected code violations; the prior audit noted six re-inspection reports (1%).*

Per the mowing procedures document, the Contractor and Inspector shall take “after” pictures from the same angle as the inspector’s “before” pictures.

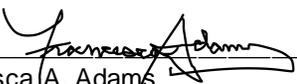
For completeness purposes, it is recommended for the Contractor and Inspector to take “after” pictures at the same angle as before pictures to ensure the code violation has been corrected.

**Code Enforcement's Response:** Management accepts the findings, and the following have occurred and will occur in response:

1. Findings have been shared with the inspector supervisor and with the crew coordinator.
2. In turn, the supervisors have shared the findings with the work teams.
3. Periodic spot quality control checks are being implemented on closed cases. This allows supervision to review the entire case for errors whether by inspectors, office staff and/or the crew/contractor.
4. Additionally, any case under review for any reason is being reviewed from beginning to end/present time and date.
5. First line supervision will ensure compliance for cases in process.
6. Should the case be closed without compliance with established policies and procedures, appropriate action will be taken in accordance with Human Resource policy.
7. Should errors occur with contractors, appropriate follow-up action will occur up to and including removal from the contractor list.
8. Reviews will include any aspect of processes and procedures, as well as an emphasis on processes and procedures that received specific attention in the audit report.

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Respectfully submitted,

  
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